



**TESTIMONY OF JODI SMITH
COMMISSIONER
North Dakota Department of Trust Lands**

Senate Bill 2191

**Senate Political Subdivisions Committee
January 22, 2021**

Chairman Burckhard and members of the Senate Political Subdivisions Committee, I am Jodi Smith, the Commissioner and Secretary for the Board of University and School Lands (Board). I am here to testify in support of Senate Bill 2191.

The Department of Trust Lands (Department) is the administrative arm of the Board, serving under the direction and authority of the Board. The Board is comprised of the Governor, Secretary of State, Attorney General, State Treasurer, and Superintendent of Public Instruction. The Department's primary responsibility is managing the Common Schools Trust Fund (CSTF) and 12 other permanent educational trust funds. The beneficiaries of the trust funds include local school districts, various colleges and universities, and other institutions in North Dakota. The Department manages five additional funds: the Strategic Investment and Improvements Fund, the Coal Development Trust Fund, the Capitol Building Fund, the Indian Cultural Education Trust, and the Theodore Roosevelt Presidential Library and Museum Endowment.

Additionally, the Department administers the Uniform Unclaimed Property Act, N.D.C.C. ch. 47-30.1. In this role, the Department collects "unclaimed property" (uncashed checks, unused bank accounts, etc.), processes owners' claims and engages in holder compliance. This property is held in permanent trust for owners to claim, with the revenue from the investment of the property benefiting the CSTF. The primary function of the Unclaimed Property Division is to provide protection for owners and reunite them with their lost or abandoned property. A secondary function is to take, hold, and use for the common good, property which has been lost or abandoned and for which there is no way to identify the owner nor the ability to restore the property to its owner. In those situations, the generally accepted policy is the citizens enjoy the benefit from this property rather than the holder of the property.

The Department would like to offer the following amendment to provide guidance in the event the rightful owner cannot be located:

Page 2, line 1 insert:

"6. If the record title owner cannot be located, any remainder from the proceeds of a sale must be delivered to the administrator of the state abandoned property office in accordance with chapter 47-30.1."

Renumber accordingly

I look forward to working with the committee on this amendment and would be happy to answer any questions.

Jodi A. Smith COMMISSIONER

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